

LFW

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 21, 2005

Signature:

(Sharon M. Sintich)

Docket No.: 28335/39196A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Lauren O. Bakaletz et al.

Application No.: 10/807,746

Confirmation No.: 6532

Filed: March 24, 2004

Art Unit: 1645

For: Nontypeable Haemophilus Influenzae  
Virulence Factors

Examiner: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

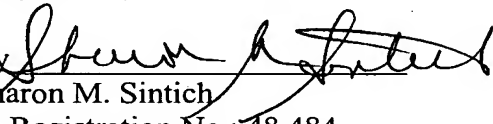
Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. Copies of all documents listed on the Form PTO-1449 (C27-C28) are submitted herewith. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This Information Disclosure Statement is being submitted before receipt of the first official action on the merits in the above-identified patent application. Accordingly, it is believed no fee is due in this matter pursuant to 37 C.F.R. § 1.97(b). The Commissioner is authorized to charge any fee due related to this statement to Deposit Account No. 13-2855.

Dated: April 21, 2005

Respectfully submitted,

By   
Sharon M. Sintich

Registration No.: 48,484

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

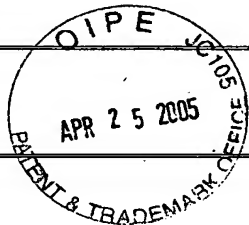
Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant

Form PTO-1449 (Modified)

Atty. Docket No.  
28335/39196ASerial No.  
10/807,746**INFORMATION DISCLOSURE STATEMENT**Applicant(s)  
Bakaletz et al.Filing Date  
March 24, 2004Art Unit  
1645**U.S. PATENT DOCUMENTS**

| Examiner Initials | Document Number | Issue or Publication Date | Name | Class | Subclass | Filing Date (If Appropriate) |
|-------------------|-----------------|---------------------------|------|-------|----------|------------------------------|
|                   |                 |                           |      |       |          |                              |
|                   |                 |                           |      |       |          |                              |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials | Document Number | Publication Date | Country | Translation |    |
|-------------------|-----------------|------------------|---------|-------------|----|
|                   |                 |                  |         | Yes         | No |
|                   |                 |                  |         |             |    |
|                   |                 |                  |         |             |    |

**OTHER DOCUMENTS**

|     |  |
|-----|--|
| C27 | Fleischmann, <i>et al.</i> , "Whole-Genome Random Sequence and Assembly of Haemophilus Influenzae Rd", Science 269: 496-512 (July 28,1995).          |
| C28 | Genbank Accession No. U32837 Fleischmann, <i>et al.</i> , "Haemophilus Influenzae Rd KW20 section 152 of 163 of the complete genome" (June 2, 2004). |

EXAMINER:

DATE CONSIDERED: